

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**VINCENT L. MOORE, #816725,**

Plaintiff,

File No. **15-cv-13319**

-VS-

**Hon. James G. Carr  
Sr. U.S. District Judge**

**THOMAS MACKIE, WARDEN,  
OAKS CORRECTIONAL FACILITY,**

Defendant.

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**MOTION TO EXTEND TIME TO FILE A BRIEF IN SUPPORT  
OF THE PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner, VINCENT L. MOORE, by his attorney, CRAIG A. DALY, P.C.,  
moves this Court to extend time to file a Brief in Support of the Petition for a Writ of  
Habeas Corpus, for the following reasons:

1. Petitioner, Vincent L. Moore, is a state prisoner, currently serving a life term for murder and 15 to 30 years for a robbery conviction in the State of Michigan.
2. He filed his Petition for Writ of Habeas Corpus on September 21, 2015.

3. Subsequently, his Petition was held in abeyance as he exhausted his state remedies on issues involving ineffective assistance of counsel and newly discovered evidence.

4. In response to the Respondent's Motion for Summary Judgment, the Court entered an Order on April 20, 2020 granting in part, and denying in part the Respondent's motion and ordered Petitioner to file a Brief in Support of the Petition on the remaining claims on or before June 19, 2020 (Doc. #22).

5. On March 10, 2020, the State of Michigan Department of Health and Human Services identified the first two presumptive cases of COVID-19 virus in the state.

6. On the same day, Governor Gretchen Whitmer issued Executive Order 2020-04 declaring a state of emergency across the State of Michigan.

7. On March 13, 2020, the President of the United States declared a national emergency due to the novel coronavirus disease.

8. On March 22, 2020, Governor Whitmer explained that COVID-19 "is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and is easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease. Executive Order 2020-20.

9. On March 23, 2020, Governor Whitmer issued Executive Order 2020-21 commanding that “all individuals currently living within the State of Michigan are ordered to stay at home or in their place of residence” and prohibiting “all public and private gatherings of any number of people occurring among persons not part of a single household. Limited exceptions from the “shelter in place’ order permitted for “workers are necessary to sustain or protect life” *Ibid*. The Order was effective on March 24, 2020, extended to April 30, 2020, and then from April 30, 2020 to May 28, 2020 and then again until June 12, 2020 due to the ongoing need to mitigate the disease (Executive Order 2020-96).<sup>1</sup> Per the Executive Order and MCL 10.33 and MCL 30.405(3), a wilful violation of the order is a misdemeanor.

10. In compliance with the Governor’s Order, the undersigned has not been to his office since March 17, 2020.

11. To comply with this Court’s order, the undersigned needs access to Petitioner’s file and the documents contained therein that is at counsel’s office.

12. That an extension of time to file Petitioner’s brief is required for good cause shown.

**WHEREFORE**, Petitioner requests a ninety (90) day extension of time to file his brief in support of the petition to September 17, 2020.

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<sup>1</sup>On June 1, 2020, Governor Whitmer issues Executive Order 2020-110 lifting certain restrictions on businesses.

Respectfully submitted,

s/ *Craig A. Daly*

**CRAIG A. DALY, P.C. (P27539)**

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Dated: June 2, 2020

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EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

VINCENT L. MOORE, #816725,

Plaintiff,

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**CERTIFICATE OF SERVICE**

I, CRAIG A. DALY, P.C., hereby certify that on the 2<sup>nd</sup> of June, 2020, I electronically filed **Motion to Extend Time to File a Brief in Support of the Petition for a Writ of Habeas Corpus** with the Clerk of the Court using the ECF system which will send notification of such filing to the following: **Hon. James G. Carr and Laura L. Moody**.

Respectfully submitted,

s/ *Craig A. Daly*

**CRAIG A. DALY, P.C. (P27539)**

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Dated: June 2, 2020